

conventional structure must be labeled as prior art, only that it must be distinguished from drawings showing the invention. The label "Related Art" does so. Further, such is, in this application, in agreement with the specification and MPEP §601(I)(F)(2). Therefore, the Examiner cannot require the drawings to be labeled as "Prior Art" as MPEP §608.02(g) clearly states that figures should be designated by a legend such as --Prior Art--. Nonetheless, to avoid unnecessary delay in prosecution, the drawings remain labeled as "Prior Art."

The Office Action rejects claims 1-12 and 16 under 35 U.S.C. §112, first paragraph. This rejection is respectfully traversed.

The Office Action states that the limitation in claim 1 "the void portions extending along a length direction and the length direction extending substantially from the first end to the second end" is not supported in the specification. Applicants respectfully disagree with this statement.

As discussed during the interview, and as discussed in the specification at, for example, paragraph [0020], the void portions 17 are preferably formed along the whole length of the honeycomb structure. This is also described in original claim 2. As discussed in paragraph [0015], the honeycomb structure has ends. Thus, this feature is well supported in the specification.

The Office Action states that the phrase "the void portions are formed . . . at a regular interval" recited in claim 2 is contradictory to claim 1. However, as discussed at paragraph [0020] of the specification and as discussed during the interview, the void portions 17 are formed at a regular interval with respect to the direction shown in Figs. 4 and 5, i.e., the cross section, rather than a regular interval with respect to the length direction. As found in claim 1, the formed voids extend the whole length but are formed at predetermined positions at a regular interval. Thus, the feature is clearly recited in the specification.

Claims 3-12 and 16 depend on claim 1 and thus are allowable for the reasons discussed above and for the additional features recited therein.

Accordingly, withdrawal of this rejection is respectfully requested.

The Office Action rejects claim 2 under 35 U.S.C. §112, second paragraph. The Office Action states that claim 2 is contradictory to claim 1. As discussed above, there is no contradiction because the void portions are formed at predetermined positions at a regular interval in the direction shown in Figs. 4 and 5, as discussed during the interview. As such, withdrawal of the rejection is respectfully requested.

Applicants understand that dependent claims 2-8, 10 and 16 are allowable as no grounds for rejection are provided in the Office Action.

The Office Action rejects claims 1, 9, 11 and 12 under 35 U.S.C. §102(b) over U.S. Patent No. 5,855,781 to Yorita et al. (Yorita). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, that a plurality of plugging portions plug at least one of a first end and a second end of the plurality of through channels, predetermined ones of the plurality of through channels being plugged by said plugging portions at the first end and other ones of the plurality of through channels being plugged by said plugging portions at the second end. These features are shown in Fig. 1, for example.

Yorita, on the other hand, as discussed during the interview, shows in Fig. 3 that all of the raw fluid supply passages 11 are completely through the filter without any plugging portions. Therefore, Yorita does not teach or suggest the recited plugging portions.

Moreover, claim 1 recites that at least a part of predetermined crossing portions of the porous partition walls is discontinued to form a void portion in the predetermined crossing portions. This feature is also shown in Fig. 1, for example.

As discussed during the interview, Yorita's communication voids 15 are provided to extend horizontally towards the outside of the filter, as shown in Fig. 7. However, the

communication voids 15 are not provided at a part of predetermined crossing portions of the porous partition walls but rather formed by removing entire side walls. Thus, Yorita does not teach or suggest this feature.

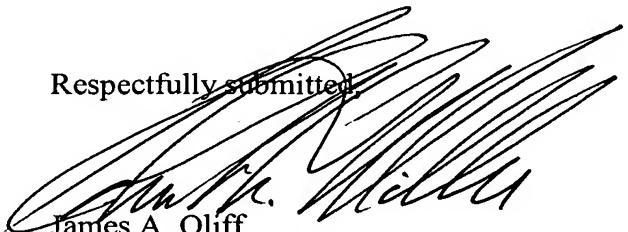
For these reasons, Applicants respectfully submit that claim 1 is patentably distinct from Yorita.

Claims 9, 11 and 12 are allowable at least for their dependence on claim 1, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 and 16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Robert A. Miller
Registration No. 32,771

JAO:KXH/tls

Date: May 24, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--